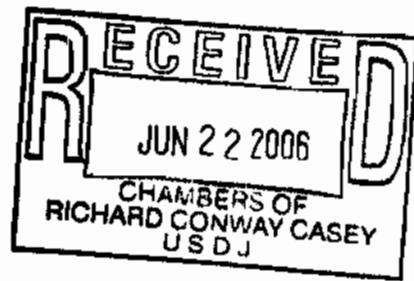


MEMO ENDORSED

June 18, 2006

Honorable Judge Richard C. Casey
 United States District Court
 Southern District Court of New York
 500 Pearl Street
 Chambers 1350
 New York, New York 10007



Re: Civil Action no. 04 CV 7690(RCC) (RLE) Merit Capital Group, LLC vs.
 Trio Industries Management, LLC, Trio Industries Holdings, LLC, Evan R.
 Daniels, and Robert E. Gyernant. Request for pre-hearing conference on
 Daniels' MOTION FOR INTERLOCUTORY SUMMARY JUDGMENT

Dear Judge Casey:

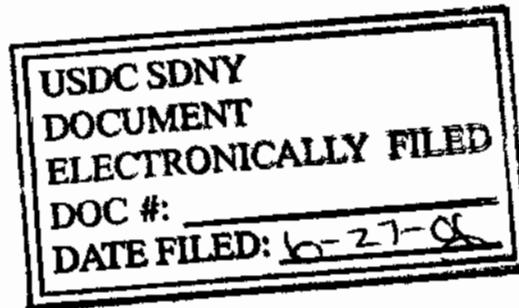
I understand that a status conference has been scheduled in this matter for July 7, 2006. I am also aware that we are to proceed to mediation before that date on June 26, 2006. I have recently filed a Motion for an Interlocutory Summary Judgment which, itself, may require a pre-hearing conference. At least three separate dates require my presence in New York. Two of those dates will burden the schedule of your Court.

Would it be possible to schedule the status conference and a pre-hearing conference on my motion for a summary judgment on the same date? I am still without employment and technically indigent. However, I do want to attend both the Court hearings and the mediation session. Unfortunately, I will not be able to attend both the mediation and the hearings without a change in my economic circumstances.

I look forward to your reply and pledge my complete cooperation with your decision.

Respectfully,

Evan R. Daniels
 Pro Se.
 11420 Chaucer Drive
 Frisco Texas 75035
 214-705-1581 (Home)
 214-705-1582 (Fax)
 214-762-0123 (Cell)



*The above address and numbers have been valid and given to all of the parties since February of 2006.

The July 7, 2006 Conference will function as both a status conference and a pre-motion conference. Mr. Daniels may appear by telephone at the July 7 Conference. So ordered.

June 27, 2006